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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

vs

BRIANNA ELISE ZERTH,
aka BRIANNA ZERTH

Defendants

CR 2023 - 007576 - 001
INDICTMENT
849 GJ 375

**COUNT 1: AGGRAVATED ASSAULT, A
CLASS 3 FELONY Dangerous, Domestic
Violence (Brianna Elise Zerth)**
**COUNT 2: TAMPERING WITH PHYSICAL
EVIDENCE, A CLASS 6 FELONY (Brianna
Elise Zerth)**
**COUNT 3: SECOND DEGREE MURDER, A
CLASS 1 FELONY Dangerous, Domestic
Violence (Brianna Elise Zerth)**

The Grand Jurors of Maricopa County, Arizona, accuse BRIANNA ELISE ZERTH, on
July 20, 2023, charging that in Maricopa County, Arizona

COUNT 1

BRIANNA ELISE ZERTH, on or about May 4, 2022, using a knife and/or hammer, a deadly weapon or dangerous instrument, intentionally, knowingly or recklessly did cause a physical injury to Peter Kevin McKenna Jr , in violation of A.R.S. §§ 13-1203, 13-1204, 13-3105, 13-701, 13-702, and 13-801.

The State further alleges that the offense charged in this count is a dangerous felony because the offense involved the discharge, use, or threatening exhibition of a knife and/or hammer, a deadly weapon or dangerous instrument, in violation of A.R.S §§ 13-105 and 13-704

The State further alleges that the offense charged in this count is a Domestic Violence offense in violation of A R S §13-3601.

COUNT 2

BRIANNA ELISE ZERTH, on or about May 4, 2022, with intent that it be used, introduced, rejected or made unavailable in an official proceeding which was then pending or which BRIANNA ELISE ZERTH knew was about to be instituted, did destroy, mutilate, alter, conceal or remove physical evidence, to-wit: blood and/or clothing and/or weapons, with the intent to impair its verity or availability, in violation of A R S §§ 13-2809, 13-2801, 13-701, 13-702, and 13-801

COUNT 3

BRIANNA ELISE ZERTH, on or about May 4, 2022, without premeditation, intentionally did cause the death of Peter Kevin McKenna Jr., and/or knowing that her conduct could cause death or serious physical injury, caused the death of Peter Kevin McKenna Jr, and/or under circumstances manifesting extreme indifference to human life, recklessly engaged in conduct which created a grave risk of death and thereby caused the death of Peter Kevin McKenna Jr, in violation of A.R.S §§ 13-1101, 13-1104, 13-710, 13-701, 13-702, and 13-801

The State further alleges that the offense charged in this count is a dangerous felony because the offense involved the discharge, use, or threatening exhibition of a knife and/or hammer, a deadly weapon or dangerous instrument, in violation of A.R.S. §§ 13-105 and 13-704

The State further alleges that the offense charged in this count is a Domestic Violence offense in violation of A.R.S §13-3601

A True Bill
("A True Bill")

RACHEL H. MITCHELL
MARICOPA COUNTY ATTORNEY

Date July 20, 2023



Bernita Clark
Deputy County Attorney
BC:as



FOREPERSON OF THE GRAND JURY